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11  
12 **UNITED STATES DISTRICT COURT**  
13 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
14 **SAN JOSE DIVISION**

15 VALLAVISTA CORPORATION, a  
16 California corporation,

17 Plaintiff,

18 vs.

19 AMAZON.COM, INC., a Delaware  
20 corporation, TARGET CORPORATION,  
21 a Minnesota corporation, EBAGS, INC., a  
22 Colorado corporation, EMPORIUM  
23 LEATHER COMPANY, INC., a New  
24 Jersey corporation, doing business as  
25 ROYCE LEATHER, and FASHION  
26 HANDBAGS, INC., a Nevada  
27 corporation, doing business as BO BO  
28 BAGS,

Defendants.

Case No.: C07-05360 PVT

**CERTIFICATE OF SERVICE OF  
SUMMONS, COMPLAINT AND  
SUPPLEMENTARY MATERIAL  
PURSUANT TO LOCAL RULE 4-2. AND  
ATTACHING RETURN OF SERVICE  
FORM UPON EMPORIUM LEATHER  
COMPANY, INC. A NEW JERSEY  
CORPORATION**

**VALLAVISTA CORPORATION A CALIFORNIA CORPORATION***Plaintiff*

vs.

**UNITED STATES OF AMERICA****United States District Court****Northern District of California****Docket / Index # C07-05360****AMAZON.COM INC A DELAWARE CORPORATION; TARGET CORPORATION A MINNESOTA CORPORATION; EBAGS INC A COLORADO CORPORATION; EMPORIUM LEATHER COMPANY INC. A NJ CORP; ET ALS***Defendant***AFFIDAVIT****Person to be served:***Emporium Leather Company Inc. at: Emporium Leather Company Inc., c/o Harold Joe Bauer, 172 Alpine Drive, Closter, NJ 07624***Attorney:**Fredericks & Palmer Process Serving LLC  
501 Scarborough Dr Suite 306 East  
English Creek Executive Center, Egg Harbor Township, NJ 08234

Cost of Service Pursuant to R. 4:4-3(c)

\$ \_\_\_\_\_

**Papers Served:**

Order Setting initial Case Management Conference and ADR Deadlines; Standing Order regarding Case Management in Civil Cases; Civil Case Cover Sheet; Standing Order for Civil Practice in Cases assigned for all purposes to Magistrate Judge Patricia V. Trumbull; Declaration to proceed before a Magistrate Judge and request for Reassignment to a United States District Judge; Consent to proceed before a United States Magistrate Judge; ECF Registration Information Handout; United States District Guidelines; Northern District of California San Jose Division Hearing Schedules; Standing Order for Discovery Practices in all Cases referred to Magistrate Judge Patricia V. Trumbull for Discovery; Standing Order for all Judges of the Northern District of California Contents of Joint Case Management Statement.

**Service Data:**Served Successfully ☒ - Not Served \_\_\_\_\_

Date: November 1, 2007 Time: 6:30 AM

Attempts: 0

\_\_\_\_ Delivered a copy to him / her personally

Name of Person Served and  
Relationship / Title:

\_\_\_\_ Left a copy with a competent household member over 14 years of age residing therein.

Kathy Bauer, Authorized Agent

☒

Left a copy with a person authorized to accept service, e.g. managing agent, registered agent, etc.

**Description of Person Accepting Service:**

Sex: Female Age: 40+ Height: 5' 4" Weight: 100-110 lbs Skin Color: Caucasian Hair Color: Brown

**Unserved:**

- ( ) Defendant is unknown at the address furnished by the attorney
- ( ) All reasonable inquiries suggest defendant moved to an undetermined address
- ( ) No such street in municipality
- ( ) No response on: \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_
- ( ) Other \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_
- ( ) Other \_\_\_\_\_ Comments or Remarks \_\_\_\_\_

**Server Data:**

Subscribed and Sworn to me this

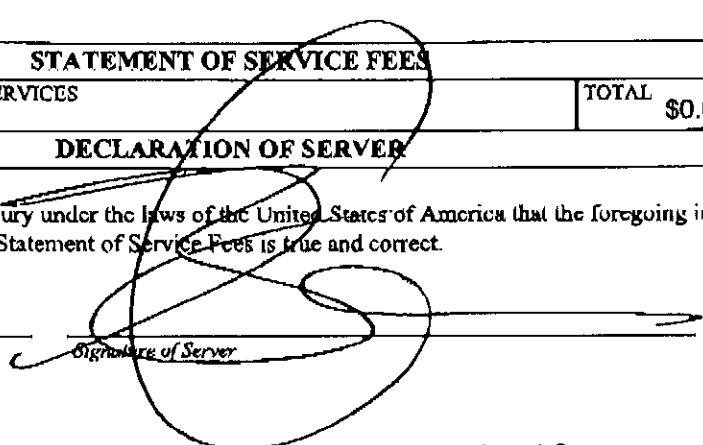
13 day of Nov 2007

Robert H. Stalh, Notary Public of New Jersey  
My Commission Expires March 14, 2008

I, Glenn Michael Consor, was at the time of service a competent adult not having a direct interest in the litigation. I declare under penalty of perjury that the foregoing is true and correct.

Glenn Michael Consor, Process Server

SAO 440 (Rev. 8/01) Summons in a Civil Action

| <b>RETURN OF SERVICE</b>  |                         |              |
|---|-------------------------|--------------|
| Service of the Summons and complaint was made by mc <sup>(1)</sup>  | DATE<br>11/1/2007       |              |
| NAME OF SERVER (PRINT)<br>GLENN M CONSOR  | TITLE<br>Process Server |              |
| <i>Check one box below to indicate appropriate method of service</i>  |                         |              |
| <div style="margin-bottom: 10px;"> <input checked="" type="checkbox"/> Served personally upon the defendant. Place where served:<br/>                     Emporium Leather Company Inc., 172 Alpine Drive. Closter, New Jersey 07624 at 06:30 hrs                 </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.<br/>                     Name of person with whom the summons and complaint were left:<br/>                     Kathy Bauer - Authorized Agent                 </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Returned unexecuted:                 </div> <div> <input type="checkbox"/> Other (specify):                 </div> |                         |              |
| <b>STATEMENT OF SERVICE FEES</b>  |                         |              |
| TRAVEL  | SERVICES                | TOTAL \$0.00 |
| <b>DECLARATION OF SERVER</b>  |                         |              |
| <p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"> <div style="width: 30%;">                         Executed on <u>11/2/2007</u><br/> <small>Date</small> </div> <div style="width: 60%; text-align: center;"> <br/> <small>Signature of Server</small> </div> </div> <div style="text-align: center; margin-top: 10px;"> <u>Fredericks &amp; Palmer Process Serving LLC</u><br/> <small>Address of Server</small> </div>  |                         |              |

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.